



WISCONSIN REGULATORY DIGEST

A Publication of the
Volume 10, No. 1 DENTISTRY EXAMINING BOARD SEPTEMBER, 1998

New Board Members Appointed

Governor Tommy Thompson has appointed Bruce W. Trimble, D.D.S. of Menomonie as the new dental member, David T. Carroll, R.D.H. of Schofield and Nanette K. Dreves, R.D.H. of LaCrosse as new dental hygiene members created by 1997 Wisconsin Act 96.

Dr. Trimble is a private solo practitioner of General Dentistry and is a graduate of the University of Iowa, College of Dentistry. He has been an active member of the WDA and Past President of the Dunn County Dental Society. Dr. Trimble hopes to continue practice during the next 10 years with his son who is currently a dental student at the University of Minnesota. Dr. Trimble has been active in many civic affairs which include service on the Menomonie City Council. His term will expire December 31, 2002.

THE WISCONSIN DENTISTRY EXAMINING BOARD

Members of the Board:

James A. Sievert, D.D.S., Chair (Wausau)
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Willa Jean Moore (Milwaukee)
Cynthia Riffle, D.D.S., S.C. (Mukwonago)
Nanette Kosyd Dreves, R.D.H. (La Crosse)
Bruce W. Trimble, D.D.S., S.C. (Menomonie)
David T. Carroll, R.D.H. (Schofield)

Administrative Staff:

Patrick D. Braatz, Division Administrator

Executive Staff:

Marlene A. Cummings, Secretary
Patricia McCormack, Deputy Secretary
Myra Shelton, Executive Assistant

Mr. Carroll is a practicing dental hygienist in Mosinee and is the President and founder of a dental specialties company that has developed and received patents for two specialized tooth brushes. He is a graduate of NCTI with an associate degree in dental hygiene. Mr. Carroll has been an active member of the WDHA. He has been active in many community activities and service organizations including the Masons and Kiwanis as well as serving as a 5th and 6th grade basketball coach and a 6th and 7th grade youth football coach. Mr. Carroll's term will expire December 31, 2002.

Ms. Dreves is a dental auxiliary supervisor and a consultant/educator in LaCrosse and is a graduate of Ferris State University with an Associate Degree of Applied Sciences in Dental Hygiene and Cardinal Stritch University with a Bachelor of Science in Business Administration.

Ms. Dreves has been active in many educational programs as well as being active in many community and civic affairs. Ms. Dreves' term will expire December 31, 2002.

New Legislation Concerning Hygienists

The following legislation was signed into law by Governor Tommy G. Thompson in the 1997-98 Legislative Session.

Legislation was enacted in April, 1998, which provides authorization for administration of oral systemic premedications, local anesthesia, and subgingival sustained release chemotherapeutic

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agents by dental hygienists. Hygienists will obtain a certification to administer the medications. The board must promulgate rules concerning the administration of medications by certified hygienists and the educational requirements for certification of hygienists.

The membership of the dentistry board will change, adding one more dentist and two more dental hygienists. These additional memberships will expire on December 31, 2002.

The text of the new law, 1997 Wisconsin Act 96, is available in most public libraries and can be viewed on the Internet at

<http://www.legis.state.wi.us/billtext/acts/97acts.html>

Exception For Shade Verification

Recent legislation created an exception to possible disciplinary action for sending impressions to a dental laboratory without a proper written authorization. Patients may now visit dental laboratories for the purpose of shade verification. 1997 Wisconsin ACT 97 was effective in April, 1998.

The text of the new law, 1997 Wisconsin Act 97, is available in most public libraries and can be viewed on the Internet at

<http://www.legis.state.wi.us/billtext/acts/97acts.html>

Amendments To Worker's Compensation Law Concerning Dentists

Employees claiming worker's compensation are now required to submit two reasonable examinations by dentists as well as by other health professionals. The employee is entitled to have another health care professional at the examination. The employee is also entitled to receive all reports of the examination. The examining dentist or the other health professional present at the examination may be required to testify during the administrative process. They may also be required to provide information or written material related to the injury upon which the compensation claim is based. These changes were effective on January 1, 1998.

The text of the new law, 1997 Wisconsin Act 38, is available in most public libraries and can be viewed on the Internet at

<http://www.legis.state.wi.us/billtext/acts/97acts.html>

Emergency Dental Services

Dentists participating in the "volunteer health care provider" program may provide "dental services, including simple tooth extractions and any necessary suturing related to the extractions" on an emergency basis. This modification became effective in January 1998.

The text of the new law, 1997 Wisconsin Act 57, is available in most public libraries and can be viewed on the Internet at

<http://www.legis.state.wi.us/billtext/acts/97acts.html>

Tax Delinquency, A New Basis For Denial, Suspension And Revocation

Since 1996, the law has required the department to verify that applicants for credential renewal are not delinquent in payment of Wisconsin state taxes. The department is required to deny renewal if the Department of Revenue certifies that an applicant is tax delinquent.

Effective January 1, 1999, the scope of the law will expand to apply to other state agencies, including the Department of Transportation and the Department of Natural Resources. The law will also change to include applicants for new licenses and current credential holders. After January 1, 1999, the Department of Regulation and Licensing is required to deny the applications for an initial credential if the applicant is certified by the Department of Revenue as being liable for delinquent taxes. The Department will also be required to revoke the credential of current credential holders who are tax delinquent.

A person denied or revoked because of a tax delinquency status may request the Department of Revenue to review the certificate of tax delinquency at a hearing.

The text of the new law is in 1997 Wisconsin Act 237 at section 307 and sections 532-551. Act 237 is available in most public libraries and can be viewed on the Internet at

<http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Law Sanctions Professionals With Delinquent Support

In April 1998, legislation was enacted which provides for suspension of credentials for failure to pay family support or for failure to comply with a subpoena or warrant related to paternity or support proceedings. The determination of failure to pay support or failure to comply with a warrant or subpoena will be made by county support agencies or the Department of Workforce Development.

The Department of Workforce Development, after proper notice and provision for hearing, will certify to the Department of Regulation and Licensing that a professional who holds a credential issued by the department in support or has failed to comply with a subpoena or warrant. The department then shall restrict, limit or suspend a credential or deny an application for an initial credential or for renewal of a credential. The credentials will remain restricted, limited or suspended until the department receives notification of release from the Department of Workforce Development. However, credentials

shall not be sanctioned for more than five years if instituted because of delinquency in support, or for more than six months if instituted for failure to comply with a subpoena or warrant. This act became effective in April 1998.

The text of the new law is in 1997 Wisconsin Act 191 is available in most public libraries and can be viewed on the Internet at

<http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Department To Collect Social Security Numbers

The new Family Support Collection Act, 1997 Wisconsin Act 191, requires the Department of Regulation and Licensing to collect social security numbers from all individuals who apply for new credentials. Applications from individuals who do not submit their social security number will be denied. The social security numbers collected may be disclosed only to the Department of Workforce Development for the purpose of enforcing the Family Child Support Collection Act, or to the Department of Revenue for the purpose of checking for tax delinquencies.

Administrative Warnings May Be Issued Under New Law

Examining Boards, the Department and other regulatory authorities are authorized to issue Administrative Warnings under a new law effective May 5, 1998. An administrative warning may be issued to close an investigation if a regulatory authority determines that no further action is warranted because the complaint involves a first occurrence of a minor violation and the warning adequately protects the public.

Under the new law, 1997 Wisconsin Act 139, an administrative warning puts the professional on notice that if the misconduct is repeated, the incident that was the basis for the warning can be used to prove that the person warned knew the conduct was prohibited. A warning is not discipline and may be issued without a formal complaint or a hearing. The contents of the warning shall be private and confidential.

A credential holder may have a warning reviewed before the department or board that issued the warning. The new law requires the department to promulgate rules establishing uniform procedures for administrative warnings.

The text of 1997 Wisconsin Act 139, is available from the department and can be viewed on the Internet at <http://www.legis.state.wi.us/billtext/acts/97acts.html>

Disciplinary Actions

ANTHONY J. STRIGENZ, D.D.S

MILWAUKEE WI SUSPENDED (for 90 days)
Placed crowns which had unacceptably large overhangs and open margins, with resultant inability to maintain adequate dental hygiene leading to possible exposure of dental tissue to bacterial

plaque, development of periodontal disease and bone loss, increase of tooth decay. Also ordered to pay costs. Effective 11/15/97. Sec. 447.07(3)(a) and (h), Stats. DE 5.02(1). Case # LS9605021DEN

JOE SHARKUS, D.D.S

CAMBRIDGE WI

LIMITED

Failed to properly prepare a tooth for root canal and failed to properly reduce the tooth to avoid the occlusion forces. Ordered to complete an education course in the preparation of teeth for subsequent root canal therapy. Also ordered to pay costs of \$200. Effective 11/5/97. Sec. 447.07, Stats. DE 5.02(5). Case # LS9711052DEN

CATHERINE E. PRICE - DENTAL HYGIENIST

MILWAUKEE WI

REPRIMAND

On 10/1/93, her dental hygiene registration expired. Did not renew until 5/6/97. During that period of time, she continued to work as a dental hygienist. Also ordered to pay a forfeiture of \$2,000. Effective 11/5/97. Sections 447.03(2) and 447.07(7), Stats. Case # LS9711051DEN

FRED T. TENUTA, D.D.S.

KENOSHA WI

LIMITED

Excessive prescribing of controlled substances (Vicodin, Tylenol III) to a patient. At no time did he initiate a discussion with any of the pharmacies to which prescriptions were telephoned regarding the patient's use of narcotics, including any inquiry whether the patient was receiving narcotics from other practitioners. Saw other patients during this time period and their charts show similar prescription patterns. Ordered to take course in appropriate prescribing of controlled substances, and complete course in dental recordkeeping. Also ordered to pay costs of \$300. Effective 11/5/97. Sec. 447.07(3)(h), Stats. DE 5.02(1) and (15). Case # LS9711053DEN

SURINDER K. MEHRA, D.D.S.

MILWAUKEE WI

REPRIMAND

Recommended and treated a patient with a fixed bridge from tooth #2 through tooth #14. The root structure and general condition of the remaining teeth were not sufficient to provide an adequate abutment for a full upper bridge. A full bridge was not the proper choice of treatment for this patient's condition and created unacceptable risk of causing further harm to the patient's remaining teeth. Ordered to complete an educational program. Also ordered to pay costs of \$200. Effective 5/6/98. Sec. 447.07(3)(A), Stats. DE 5.02(5). Case # LS9805062DEN

CURTIS F. TRAVIS, D.D.S.

EAU CLAIRE WI

REPRIMAND

Failed to diagnose the carious lesions in tooth #21 and tooth #28 when they were identifiable by clinical examination and on the x-rays. Ordered to pay costs of \$100. Effective 5/6/98. Sec. 447.07(3)(a), Stats. DE 5.02(5). Case # LS9805064DEN

REGULATORY DIGEST

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Automated Phone System for the Health Professions: ((608) 266-2811

- Press 1 **Request Application**
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Press 5 **Verifying Current Status of a**
Credential Holder
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FAX: (608) 261-7083

ALL verification requests must be in writing. Requests for verifications to other states must be in writing. The cost is \$10. Please make out check or money order to the Department of Regulation and Licensing.

Digest on Web Site

The November, 1997 digest is on the Web.

Visit the Department's Web Site

<http://badger.state.wi.us/agencies/drl/>
Send comments to dorl@mail.state.wi.us

1998 Board Meeting Dates

November 4.

Wisconsin Statutes and Code

Copies of Dentistry Examining Board Statutes and Administrative Code can be ordered from the Department. Include your name, address, county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated April, 1997.

Change of Name or Address?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to the Department. Confirmation of changes are not automatically provided.

WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

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